



State of Michigan
John Engler, Governor

Department of Consumer & Industry Services
Kathleen M. Wilbur, Director

Corporation, Securities and
Land Development Bureau
Carl L. Tyson, Director

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Records Information and
Certification Units
1-800-555-0031

Document Review Section
517-334-6302

Annual Report Section
517-334-6300

MEETING MINUTES AS REQUIRED
BY SECTION 9 OF PUBLIC ACT NO.
267 OF 1976

Proposed Minutes Prepared
by: Dennis Irwin-Stabenow
for State Boundary Commission

Docket #95-I-1/Isabella County

Incorporation of territory in Broomfield and Sherman Townships into the Village of
Lake Isabella.

MEETING INFORMATION

WHERE: Lansing

WHEN: December 17, 1996

TYPE: Adjudicative

COMMISSIONERS PRESENT:
Kenneth VerBurg
David Rutledge
Lloyd Walker
John Bradac

COMMISSIONERS ABSENT:
Daniel Fussman

MOTION: To recommend to the Director of the Department of Consumer and
Industry Services that she sign an order requiring an April 22, 1997 special
election for the purpose of electing charter commissioners for the Village
of Lake Isabella.

MOVED BY: Rutledge

SUPPORTED BY: Walker

VOTE: Unanimous in favor

MOTION: **RESOLVED** that the Commission finds:

WHEREAS, there were allegations of errors in the process of conducting
the September 25, 1996 special election on the incorporation of the
Village of Lake Isabella; **AND**

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Minutes -- Page 2**

WHEREAS, the Elections Bureau of the Secretary of State investigated the allegations and found that errors did occur; AND

WHEREAS, those errors could not have affected the outcome of the election, AND

WHEREAS, the Commission's Assistant Attorney General found case law upholding elections with similar circumstances;

BE IT RESOLVED that we therefore conclude the September 25, 1996 election on the incorporation of the Village of Lake Isabella is valid.

MOVED BY: Rutledge

SUPPORTED BY: Walker

VOTE: Unanimous in favor

ORDER

DOCKET #95-I-1

WHEREAS, the Director of the Department of Consumer and Industry Services ordered an election to be held on September 25, 1996 for the purpose of approving or rejecting the incorporation of the Home Rule Village of Lake Isabella; AND

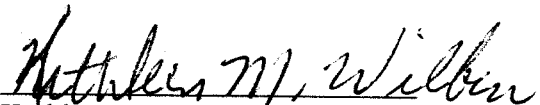
WHEREAS, the Board of Canvassers of Isabella County certified that the incorporation of the Home Rule Village of Lake Isabella was approved by a vote of 241 for and 188 against;

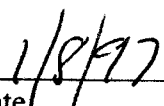
IT IS ORDERED THAT: The voters in the area approved for incorporation at the September 25, 1996 election shall elect not more than 5 charter commissioners at a special election to be held on April 22, 1997.

IT IS FURTHER ORDERED THAT: The State Boundary Commission shall prescribe the ballot for the election; and the Broomfield and Sherman Township Clerks shall print the ballots for the election and shall conduct and direct the election in compliance with the general election law, Act 116 of 1954, as amended; and the Isabella County Board of Canvassers shall certify the election of the 5 persons receiving the highest number of votes as the successful candidates to the Village of Lake Isabella Charter Commission.

IT IS FURTHER ORDERED THAT: The Charter Commission shall convene and take the constitutional oath of office within 10 days after the election is certified by the Isabella County Board of Canvassers and certify to the State Boundary Commission that the first meeting has taken place.

IT IS FURTHER ORDERED THAT: The Townships of Broomfield and Sherman shall pay the costs of the election.


Kathleen M. Wilbur, Director
Department of Consumer and Industry Services


Date



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MEETING MINUTES AS REQUIRED BY
SECTION 9 OF ACT NO. 267 OF THE
PUBLIC ACT OF 1976

Proposed Minutes Prepared
by: Robin Wojcik
for State Boundary Commission

Docket #95-I-1 / Isabella County
Sherman & Broomfield Townships / Village of Lake Isabella

MEETING INFORMATION

WHERE: Lansing

WHEN: June 18, 1996

TYPE: Adjudicative - Legal Sufficiency of a Referendum Petition Requesting an Election

COMMISSIONERS PRESENT:

Kenneth VerBurg
David Rutledge
Lloyd Walker
John Bradac

COMMISSIONERS ABSENT:

Daniel Fussman

MOTION: To adopt Findings of Fact and recommend to the Director that the petition is legally sufficient and to establish the election date as September 25, 1996.

MOVED BY: Rutledge

SUPPORTED -

VOTE:

AYES: All

Michigan Department of Commerce

Memorandum

To: State and Isabella County Boundary Commissioners

From: Robin Wojcik, Analyst
State Boundary Commission *Robin Wojcik*

Date: June 18, 1996

Subject: Legal Sufficiency of Referendum Petition
Docket # 95-1-1, Broomfield and Sherman Townships.

This petition for a referendum on the incorporation of the Home Rule Village of Lake Isabella, was filed on May 2, 1996.

Public Act 191 of 1968, requires that the petition contain signatures of at least 5% of the registered electors residing in the area to be incorporated. There are 118 valid signatures, as reported by the Township Clerks. The petition contains signatures of greater than 5% of the registered electors.

Betty Findley, Broomfield Township Clerk, reported 103 registered electors of Broomfield Township. Douglas Middlesworth, Sherman Township Clerk, reported that it would be difficult to determine the number of registered electors of Sherman Township. The estimated population of Sherman Township residents residing in the proposed area is 450. Assuming all residents of Sherman Township were registered electors, 28 signatures would be required.

In checking with the County Clerk I have determined that the earliest date for the election would be September 25, 1996. The Township Clerks have agreed on having a special election as opposed to waiting for the regular election on November 5.

Attached is a draft order, which if adopted, would order a special election on the question of incorporation of the Home Rule Village of Lake Isabella, for September 25, 1996.

Attachments

ORDER

DOCKET #95- I-1

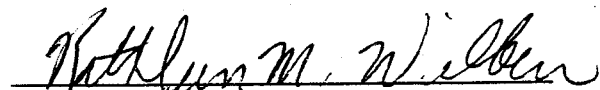
WHEREAS, the State Boundary Commission approved petition Docket # 95-I-1 for the incorporation of portions of Broomfield and Sherman Townships as the Home Rule Village of Lake Isabella; AND

WHEREAS, more than 5% of the registered voters of the area approved for incorporation have signed and filed a valid petition within the 45 day time limit, asking for an election on the Commission approved incorporation, as authorized in Public Act 191 of 1968, as amended; AND

IT IS ORDERED THAT: The voters in the area approved for incorporation by the Boundary Commission approve or reject this incorporation at a special election, to be held on September 25, 1996.

IT IS FURTHER ORDERED THAT: The State Boundary Commission shall prescribe the ballot for the question and the Broomfield and Sherman Township Clerks shall print the ballots for the election, and shall conduct and direct the election in compliance with the general election law, Act 116 of 1954, as amended, while the Isabella County Board of Canvassers shall certify the election results to the Boundary Commission. Should voters approve the question with an affirmative majority vote, the effective date for the Commission's March 26, 1996 Findings of Fact and Order shall be October 7, 1996, and in such event, the Director of the Department of Consumer and Industry Services will call an election for the purpose of electing a charter commission.

IT IS FURTHER ORDERED THAT: The Townships of Broomfield and Sherman shall pay the costs of the election.



Kathleen M. Wilbur, Director
Department of Consumer and Industry Services

Nov 24 1996